

### **REMARKS**

The Office Action mailed December 28, 2005 has been reviewed and carefully considered. Reconsideration of the above-identified application, as herein amended and in view of the following remarks, is respectfully requested.

Claims 1-35 are pending in this application. Claims 8-9, 19-21, 32-33 and 35 have been withdrawn. Claims 1-4, 10, 12-15, 22 and 25-31 have been amended. No new matter has been added by the amendments.

Claim 12 was objected to as having unclear wording. Claim 12 has been accordingly amended to recite: "...wherein said handicapped person initiates a call to confirm an order, ~~that~~ wherein delivery is on its way as soon as confirmed by said handicapped person." Withdrawal of the objection is respectfully requested.

### **§112 REJECTIONS**

Claims 3, 13, 15, 22, 25, 30, 31 and 34 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant has amended claims 3, 13, 15, 22, 25, 30 and 31 for further clarification purposes in accordance with the Examiner's request; however, claim 34 has not been amended as it was not indicated in the Office Action what was being rejected with regards with claim 34. Accordingly, withdrawal of the §112 rejections is respectfully requested.

## **§102 REJECTIONS**

Claims 1, 5, 26-28 and 34 were rejected under 35 U.S.C. §102(b) as being anticipated by Peapod.com (hereinafter “Peapod”). Applicant respectfully disagrees with the rejection.

Applicant has amended claims 1 and 26-28 to essentially recite, *inter alia*: “...cross-referencing a postal address of each client from a plurality of clients to corresponding precise terrestrial coordinates for each of said clients...” This amendment is supported by the specification, e.g., on page 11, lines 44-49; page 13, lines 9-21.

Peapod.com involves an interactive shopping service, namely a grocery delivery service, in which users call in to place an order to purchase items and choose a delivery time window, wherein the service provider delivers the ordered items to respective customers accordingly. However, Peapod fails to disclose or suggest at least cross-referencing a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, as presently claimed in claims 1, 26-28 and essentially as affirmed by the Examiner on page 10, paragraph 4 of the Office Action. Instead, with regards to any alleged ‘geographic location’ teaching, Peapod merely refers to pre-specified delivery areas it offers which a customer can assess via entry of a zip code.

Accordingly, claims 1 and 26-28 are asserted to be patentable and nonobvious over Peapod for at least the reasons stated above. Claims 5 and 34 depend from claims 1 and 28, respectively. The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1 and 28.

## §103 REJECTIONS

Claims 2-4, 6-7, 10-18, 22-25, 29-31 and 34 were rejected under 35 U.S.C. §103(a) as being unpatentable over Peapod.com in view of U.S. Patent No. 4,360,875 to Behnke (hereinafter Behnke). Applicant respectfully disagrees with the rejection.

The independent claims 10, 14 and 22 have been amended to recite: "...cross-referencing said postal address to terrestrial coordinates corresponding precisely to said postal address..."

As discussed above, Peapod fails to disclose or suggest at least cross-referencing a postal address of each client from a plurality of clients to precise **terrestrial coordinates corresponding to said postal address**, essentially as affirmed by the Examiner on page 10, paragraph 4 of the Office Action.

It is respectfully asserted that Behnke fails to cure the deficiencies of Peapod.

Behnke involves a method for providing ride-sharing information for public use. With regards to 'terrestrial coordinates related to address' which the Examiner alleges is taught by Behnke, Applicant's careful review of Behnke reveals instead that Behnke simply refers to generalized **rectangular grids** which are assigned a neighborhood code. Addresses are then assigned to the rectangular grid (neighborhood code) within which they are located. An important note to make is that a grid in Behnke (which the Examiner alleges is akin to the present invention's 'terrestrial coordinates') may thus contain **numerous** addresses which are assigned thereto. *See* Col. 9, lines 25-34, reciting:

"[a] rectangular grid has been applied to an exemplary geographical area served by a transportation system in accordance with the present invention. Each block defined by the grid represents a "neighborhood", and each neighborhood is assigned a "neighborhood code"... Each address stored ... is assigned the

“neighborhood code” designating the neighborhood in which such address is located.”

In contrast, the present invention correlates terrestrial coordinates applicable to each postal address of interest, pinpointing the *precise* position of the address via a set of terrestrial coordinates, which were originally provided by a position locator, e.g., a GPS device. Such position determination is generally accurate to three meters or less, and is steadily improving as technology increases. *See* specification, page 11, lines 44-49. Accordingly, each postal address can be assigned terrestrial coordinates that precisely refer to the location of the address. This feature is commensurate with the present invention’s objective of speed and accuracy for facilitating arrival to a particular location without, e.g., getting lost. Unlike Behnke’s grid system, in the present invention, each address is typically correlated with its own unique set of terrestrial coordinates.

Behnke has no such concern with facilitating speedy and accurate arrival directly to a destination, instead taking note of ‘geographic locations corresponding to origins and destinations’ simply for prestoring commonly used addresses (*see* Col. 8, lines 1-3) and for matching ride offers with ride requests that are ‘along the way’ for the convenience of a driver (so as to prevent a driver from having to go too far off his desired route. *See* Abstract).

Namely, neither Peapod nor Behnke, either alone or in any combination, disclose or suggest at least cross-referencing said postal address to terrestrial coordinates corresponding precisely to said postal address, essentially as claimed in claims 1, 10, 14, 22 and 28. Accordingly, claims 1, 10, 14, 22 and 28 are asserted to be patentable and nonobvious over Peapod in view of Behnke for at least the reasons stated above. Claims 2-4 and 6-7 depend

from claim 1; claims 11-13 and 15 depend from claim 10; claims 16-18 depend from claim 14; claims 23-25 depend from claim 22 and claims 29-31, 34 depend from claim 28.

The dependent claims include the limitations of their respective independent claims and are therefore believed to be patentable and nonobvious for at least the reasons stated for claims 1, 10, 14, 22 and 28.

Withdrawal of all the rejections and early and favorable reconsideration of the case is respectfully requested.

## CONCLUSION

In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of December 28, 2005 be withdrawn, that pending Claims 1-7, 10-18, 22-31 and 34 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

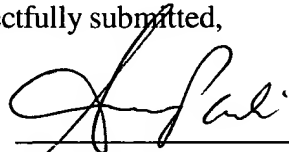
An executed Change of Correspondence Address is attached herewith. As such, Applicant kindly requests changing the Correspondence Address to the address listed below.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 50-0510.

Respectfully submitted,

Date: 3/28/06

By:

  
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